



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **INTERIM DECISION**

### **Dispute Codes:**

MNSD; MNDC

### **Introduction**

The Applicant is applying for return of the security deposit and compensation for damage or loss under the Act, regulation or tenancy agreement.

The parties gave affirmed testimony at the Hearing.

The Respondent provided documentary evidence to the Residential Tenancy Branch, submitting that the Act had no jurisdiction over this matter because he was the owner of the property and that he shared a bathroom and kitchen facilities with the Applicant.

The Applicant's advocate was taken aback, stating that the Applicant was not provided with any documentary evidence from the Respondent and that he was unaware that the Respondent would be questioning jurisdiction.

I advised the Respondent that I could not consider documentary evidence that had not been provided to the Applicant.

The Respondent testified that he provided a copy of the tenancy agreement to the Residential Tenancy Branch and it was clear that the Applicant was entitled to exclusive use of a bedroom.

The Applicant stated that he shared the house with two other tenants and that they shared use of the entire house, excluding each other's bedrooms. The Applicant stated that the Landlord did not live at the house and did not use the bathroom or the kitchen.

The Applicant stated that he had submitted documentary evidence, but I did not have it on the file.

Under these circumstances, I ordered that this matter be adjourned and that the parties serve each other with copies of their documentary evidence and that the Applicant provide the Residential Tenancy Branch with copies of their documentary evidence.

The Respondent stated that the address noted on the Tenant's Application for Dispute Resolution was incorrect and that he lived at the dispute address. He asked that the Interim Decision and Notice of Reconvened Hearing be sent to the address under dispute.

### **Conclusion**

Copies of a Notice of Reconvened Hearing are provided to both parties. This matter is adjourned to the date and time provided in the enclosed Notice of Reconvened Hearing.

It is not necessary for either party to serve the other with a copy of the Notice of Reconvened Hearing.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: April 10, 2015

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Residential Tenancy Branch

